

Troy D. Nixon, OSB No. 074453
troydnixon@gmail.com

Law Office of Troy Nixon, LLC
620 SW Main St., Suite 616
Portland, Oregon 97205
Telephone: (503) 866-3925
Facsimile: (503) 296-2733

Attorney for Debtor-In-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In Re:) Case No. 18-30038-tmb-11
)
Fite, LLC,) **NOTICE OF APPEAL AND**
) **STATEMENT OF ELECTION**
Debtor.)
_____)

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):
FITE, LLC

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff
☐ Defendant
☐ Other (describe)

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☒ Debtor
☐ Creditor
☐ Trustee
☐ Other (describe)

1 **Part 2: Identify the subject of this appeal**

- 2 1. Describe the judgment, order, or decree appealed from: Order of Dismissal
- 3 2. State the date on which the judgment, order, or decree was entered: July 10,
- 4 2018

5 **Part 3: Identify the other parties to the appeal**

6 List the names of all parties to the judgment, order, or decree appealed from and the

7 names, addresses, and telephone numbers of their attorneys (attach additional pages if

8 necessary):

8 1. Party: see attachment Attorney: _____

9 _____

10 _____

11 **Part 4: Optional election to have appeal heard by District Court (applicable only in**

12 **certain districts)**

12 If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy

13 Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party

14 elects to have the appeal heard by the United States District Court. If an appellant filing

15 this notice wishes to have the appeal heard by the United States District Court, check

16 below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to

17 hear the appeal.

15 ☒ Appellant(s) elect to have the appeal heard by the United States District Court

16 rather than by the Bankruptcy Appellate Panel.

18 /s/ Troy D. Nixon Date: 07/24/2018

19 Attorney for appellant

20 Respectfully submitted by:

21 Troy D. Nixon, OSB No. 074453

22 Attorney for Debtor-In-Possession

23 620 SW Main St., Suite 616

24 Portland, OR 97205

25 (503) 866-3925

26 troydnixon@gmail.com

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I served the foregoing AFFIDAVIT IN SUPPORT OF
3 MOTION TO SET OVER HEARING upon all ECF participants registered with the Court to
4 receive electronic notice as of the date of the entry of this pleading electronically via CM/ECF
System on the date set forth below:

5 Ms. Carla Gowen McClurg
6 US Dept of Justice
7 Office of the US Trustee
8 620 SW Main St Ste 213
Portland OR 97205
Carla.mcclurg@usdoj.gov

9 Mr. Rodolfo A Camacho
10 Law Ofcs of Camacho & Knutson
11 1795 Capitol St NE
Salem OR 97301
lawcama@comcast.net

12 Mr. Kirk W Knutson
13 Law Ofcs of Camacho & Knutson
14 1795 Capitol St NE
Salem OR 97301
15 lawknut@comcast.net

16 Jesse A. Baker
17 Aldridge Pite, LLP
18 PO BOX 17933
San Diego, CA 92177
ecforb@aldridgepite.com

19 Cara J. Richter
20 1449 SE Tech Center Place, Ste. 255
21 Vancouver, WA 98683
crichter@logs.com

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Law Office of Troy Nixon LLC
620 SW MAIN ST., Suite 616
Portland, Oregon 97205
(503) 866-3925
troydnixon@gmail.com

1 Dated this 24th day of July, 2018.

2 LAW OFFICE OF TROY NIXON, LLC

3
4 /s/ Troy D. Nixon
5 Troy D. Nixon, OSB #074453
6 Attorney for Debtor-In-Possession
7 troydnixon@gmail.com
8 Fax: (503) 296-3327
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FORM 417A ATTACHMENT FOR FITE, LLC

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US Dept of Justice
Office of the US Trustee
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Portland OR 97205
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1795 Capitol St NE
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lawcama@comcast.net

Mr. Kirk W Knutson
Law Ofcs of Camacho & Knutson
1795 Capitol St NE
Salem OR 97301
lawknut@comcast.net

Jesse A. Baker
Aldridge Pite, LLP
PO BOX 17933
San Diego, CA 92177
ecforb@aldridgepite.com

Cara J. Richter
1449 SE Tech Center Place, Ste. 255
Vancouver, WA 98683
crichter@logs.com

Below is an Order of the Court.


TRISH M. BROWN
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In Re:

Fite, LLC

Debtor.

Bankruptcy Case
No. 18-30038-tmb11

ORDER DENYING MOTION TO REOPEN

This matter came before the court on a Motion to Reopen Case (the “Motion,” ECF No. 87) filed by Fite, LLC on June 19, 2017. The court held a hearing on the Motion on July 9, 2018. For the reasons stated on the record at the July 9 hearing,

It is hereby ordered that the Motion is DENIED.

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cc: Troy D. Nixon
Carla G. McClurg
Kirk W. Knutson